EXHIBIT 3

Redacted Version of Document Sought to be Sealed

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1	UNITED STATES DISTRICT COURT	
2	NORTHERN DISTRICT OF CALIFORNIA	
3	OAKLAND DIVISION	
4		
5	CHASOM BROWN,	
6	Plaintiff, Case No.	
7	vs. 4:20-cv-03664-YGR-SVK	
8	GOOGLE LLC,	
	Defendant.	
9	*********	
	CONFIDENTIAL	
10	ZOOM VIDEOTAPED DEPOSITION OF	
	JONATHAN E. HOCHMAN	
11	July 20, 2022	
12	10:15 a.m.	
13	*********	
14		
15	TAKEN BY:	
16	JOSEF ANSORGE, ESQ.	
17	ATTORNEY FOR DEFENDANT	
18		
19	REPORTED BY:	
20	BELLE VIVIENNE, RPR, CRR, NJ-CRR,	
21	WA/CO/NM-CCR	
22	NATIONALLY CERTIFIED REALTIME	
23	COURT REPORTER	
24	JOB NO. 5308381	
25		
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2 FOR THE PLAINTIFF: 3 MARK MAO	2	INDEX
BOIES SCHILLER FLEXNER LLP 4 44 Montgomery Street, 41st Floor	$\begin{vmatrix} 2 \\ 3 \end{vmatrix}$	INDLA
San Francisco, California 94104 5 415 293 6800		Tastimony of
mmao@bsfllp com	4	Testimony of:
6 RYAN MCGEE	5	JONATHAN E. HOCHMAN
7 MORGAN & MORGAN 201 North Franklin Street	6	MR. ANSORGE 10
8 7th Floor	7	
Tampa, Florida 33602 9 813 223 0931	8	
rmcgee@forthepeople.com	9	EXHIBITS
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11 IAN CROSBY SUSMAN GODFREY	11	
12 1301 Avenue of the Americas 32nd Floor	12	NO. DESCRIPTION PAGE
13 New York, New York 10019		
Afrawley@susmangodfrey.com	13	Exhibit 1 Expert Report of Jonathan
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DICELLO LEVITT & GUTZLER	15	Exhibit 2 Jonathan Hochman's
16 10 North Dearborn Street, Sixth Floor Chicago, Illinois 60602	16	Curriculum Vitae 55
17 312 214 7900 aprom@dicellolevitt com	17	Exhibit 3 Article entitled
18 COUNSEL FOR DEFENDANT:	18	Personally Identifiable
19	19	Information (PII)146
JOSEF ANSORGE 20 JOHN WILSON, IV	20	Exhibit 4 Snapshot of a Google
QUINN EMANUEL URQUHART & SULLIVAN LLP 21 51 Madison Avenue	$\begin{vmatrix} 20 \\ 21 \end{vmatrix}$	policy163
New York, New York 10010	I	
22 josefansorge@quinnemanuel.com 23 CARL SPILLY	22	Exhibit 5 Document entitled
QUINN EMANUEL URQUHART & SULLIVAN, LLP 24 1300 I Street, NW, Suite 900	23	Mitigating Browser
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	2	E X H I B I T S (Continued.)
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1	Q. In what capacity? 11:01:15	1	top of the list. 11:03:43
2	A. As an expert. 11:01:16	2	So if you go down to the bottom 11:03:44
3	Q. In what cases? 11:01:17	3	of the list, you'll see a case from 11:03:45
4	A. I was retained by Susman Godfrey 11:01:21	4	approximately 2014. I think it's the 11:03:49
5	in two other matters that I recall. 11:01:24	5	first time I testified, and then for a 11:03:53
6	Q. And that was in connection to 11:01:31	6	number of years before that, I had been a 11:03:58
7	Ian Crosby you mentioned earlier; is that 11:01:35	7	consulting expert. I just hadn't been 11:04:00
8	correct? 11:01:39	8	deposed up to that point. 11:04:03
9	A. Yes. 11:01:39	9	Q. And so 11:04:07
10	Q. And how much were you paid for 11:01:39	10	A. If I may. 11:04:10
11	those engagements? 11:01:41	11	(Reporter clarification.) 11:04:10
12	A. I don't remember. 11:01:42	12	A. Yeah, I'm sorry. If I may. Why 11:04:11
13	Q. Can you provide us with an 11:01:42	13	don't you introduce my CV and we'll just 11:04:13
14	estimate? 11:01:46	14	take a look at that? Because I don't want 11:04:15
15	A. I don't think I can provide a 11:01:52	15	to give you inaccurate information, so it 11:04:17
16	good estimate on that, but it's let me 11:01:53	16	will be good for me just to look at it 11:04:19
17	think about it a little bit. You know, I 11:01:58	17	just to make sure I'm remembering it 11:04:22
18	think that my my sense of both of these 11:02:01	18	correctly. 11:04:24
19	two cases is that they were both under 11:02:03	19	BY MR. ANSORGE: 11:04:24
20	probably under \$100,000 each. 11:02:06	20	Q. Yeah. We'll we'll turn to 11:04:24
21	Q. Mr. Hochman, in an average year, 11:02:12	21	that right away as well. 11:04:27
22	what percentage of your work is as a 11:02:14	22	Prior to this engagement, 11:04:30
23	consulting or testifying expert? 11:02:17	23	Mr. Hochman, have you ever proffered 11:04:32
24	A. Okay. So there's several ways 11:02:21	24	expert opinions on informational entropy? 11:04:34
25	to look at it, and one way to look at it 11:02:23	25	MR. MAO: Objection, vague and 11:04:41
	Page 50		Page 52
1	is by how I spend my time. So I I 11:02:26	1	ambiguous. Go ahead. 11:04:42
1			
2		2	A. I'm not sure because entropy is 11:04:45
l .	3 1 3		
2	typically spend about one-third of my time 11:02:29	2	A. I'm not sure because entropy is 11:04:45 just a fancy way of saying the quantity of 11:04:49 information. 11:04:52
2 3	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31	2 3	just a fancy way of saying the quantity of 11:04:49
2 3 4	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42	2 3 4	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52
2 3 4 5	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42	2 3 4 5	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52
2 3 4 5 6	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46	2 3 4 5 6	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57
2 3 4 5 6 7	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50	2 3 4 5 6 7 8	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59
2 3 4 5 6 7 8	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50 endeavors. 11:02:53 Q. And what are her business 11:02:54	2 3 4 5 6 7 8	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59 A. I mean, entropy is sort of a 11:05:03
2 3 4 5 6 7 8 9	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50 endeavors. 11:02:53 Q. And what are her business 11:02:54	2 3 4 5 6 7 8 9	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59 A. I mean, entropy is sort of a 11:05:03 is a concept in computer science that kind 11:05:08
2 3 4 5 6 7 8 9 10	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50 endeavors. 11:02:53 Q. And what are her business 11:02:54 endeavors? 11:02:57	2 3 4 5 6 7 8 9 10	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59 A. I mean, entropy is sort of a 11:05:03 is a concept in computer science that kind 11:05:08 of spans across a bunch of different 11:05:11
2 3 4 5 6 7 8 9 10	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50 endeavors. 11:02:53 Q. And what are her business 11:02:54 endeavors? 11:02:57 A. She's a real estate developer. 11:02:58	2 3 4 5 6 7 8 9 10	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59 A. I mean, entropy is sort of a 11:05:03 is a concept in computer science that kind 11:05:08 of spans across a bunch of different 11:05:11 things. So I don't know that I just 11:05:13
2 3 4 5 6 7 8 9 10 11 12	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50 endeavors. 11:02:53 Q. And what are her business 11:02:54 endeavors? 11:02:57 A. She's a real estate developer. 11:02:58 Q. So one-third as an expert in 11:03:03	2 3 4 5 6 7 8 9 10 11 12	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59 A. I mean, entropy is sort of a 11:05:03 is a concept in computer science that kind 11:05:08 of spans across a bunch of different 11:05:11 things. So I don't know that I just 11:05:13 don't want to slice this too finely and 11:05:22
2 3 4 5 6 7 8 9 10 11 12 13	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50 endeavors. 11:02:53 Q. And what are her business 11:02:54 endeavors? 11:02:57 A. She's a real estate developer. 11:02:58 Q. So one-third as an expert in 11:03:03 formulative {audio glitch} litigation, 11:03:09	2 3 4 5 6 7 8 9 10 11 12 13	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59 A. I mean, entropy is sort of a 11:05:03 is a concept in computer science that kind 11:05:08 of spans across a bunch of different 11:05:11 things. So I don't know that I just 11:05:13 don't want to slice this too finely and 11:05:22 exclude something. 11:05:26
2 3 4 5 6 7 8 9 10 11 12 13 14	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50 endeavors. 11:02:53 Q. And what are her business 11:02:54 endeavors? 11:02:57 A. She's a real estate developer. 11:02:58 Q. So one-third as an expert in 11:03:03 formulative {audio glitch} litigation, 11:03:09 one-third academic or start-up, and 11:03:10	2 3 4 5 6 7 8 9 10 11 12 13 14	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59 A. I mean, entropy is sort of a 11:05:03 is a concept in computer science that kind 11:05:08 of spans across a bunch of different 11:05:11 things. So I don't know that I just 11:05:13 don't want to slice this too finely and 11:05:22 exclude something. 11:05:26 So I the answer is I'm not 11:05:26
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50 endeavors. 11:02:53 Q. And what are her business 11:02:54 endeavors? 11:02:57 A. She's a real estate developer. 11:02:58 Q. So one-third as an expert in 11:03:03 formulative {audio glitch} litigation, 11:03:09 one-third academic or start-up, and 11:03:10 one-third working in real estate; is that 11:03:13 correct? 11:03:15 A. That's sort of a rough 11:03:15 breakdown, just roughly, yes. 11:03:17 Q. When was the first time you 11:03:23 A. Okay. So, again, there's 11:03:28 several ways to look at that, but if you 11:03:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59 A. I mean, entropy is sort of a 11:05:03 is a concept in computer science that kind 11:05:08 of spans across a bunch of different 11:05:11 things. So I don't know that I just 11:05:13 don't want to slice this too finely and 11:05:22 exclude something. 11:05:26 So I the answer is I'm not 11:05:26 sure whether I've provided that kind of 11:05:29 opinion or not because it becomes a 11:05:30 boundary question, you know. You might 11:05:32 consider some other opinion I've given to 11:05:34 be relevant and I might not, so I don't 11:05:37 want to confuse you by maybe it will be 11:05:39 more helpful if you ask the question in a 11:05:44 slightly different way. 11:05:50
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	typically spend about one-third of my time 11:02:29 as a expert. I spend another third of my 11:02:31 time in start-up development and/or 11:02:37 academic-type work in recent years. And 11:02:42 then I also spend about a third of my time 11:02:46 assisting my wife in in her business 11:02:50 endeavors. 11:02:53 Q. And what are her business 11:02:54 endeavors? 11:02:57 A. She's a real estate developer. 11:03:03 formulative {audio glitch} litigation, 11:03:03 formulative {audio glitch} litigation, 11:03:10 one-third academic or start-up, and 11:03:13 correct? 11:03:15 A. That's sort of a rough 11:03:15 breakdown, just roughly, yes. 11:03:17 Q. When was the first time you 11:03:23 A. Okay. So, again, there's 11:03:28 several ways to look at that, but if you 11:03:30 look at my CV, you will see the list of my 11:03:32	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	just a fancy way of saying the quantity of 11:04:49 information. 11:04:52 BY MR. ANSORGE: 11:04:52 Q. And did you provide any expert 11:04:57 opinions on the quantity of information? 11:04:59 A. I mean, entropy is sort of a 11:05:03 is a concept in computer science that kind 11:05:08 of spans across a bunch of different 11:05:11 things. So I don't know that I just 11:05:13 don't want to slice this too finely and 11:05:22 exclude something. 11:05:26 So I the answer is I'm not 11:05:26 sure whether I've provided that kind of 11:05:30 boundary question, you know. You might 11:05:32 consider some other opinion I've given to 11:05:34 be relevant and I might not, so I don't 11:05:37 want to confuse you by maybe it will be 11:05:39 more helpful if you ask the question in a 11:05:44 slightly different way. 11:05:50
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1	ambiguous. Objection to the form of 11:05:59	1	A. I'm going to I think I have a 11:08:12
2	the question. 11:06:01	2	copy of the CV locally, so I'm going to 11:08:14
3	Please, Mr. Hochman, go ahead. 11:06:03	3	open that locally. 11:08:17
4	A. Yeah, so information theory 11:06:06	4	BY MR. ANSORGE: 11:08:21
5	comes about in the context of of a 11:06:08	5	Q. That's fine. 11:08:21
6	variety of areas in computer science. So 11:06:11	6	MR. MAO: Dr. Hochman, if you're 11:08:30
7	I've offered, you know, a fairly large set 11:06:14	7	going to do that, can you just make 11:08:32
8	of opinions just because I've worked on 11:06:19	8	sure that the exhibits match? 11:08:34
9	hundreds of cases. 11:06:23	9	THE WITNESS: Yeah, let me take 11:08:38
10	So I'm thinking about expert 11:06:25	10	a look at what you've got in Exhibit 11:08:41
11	reports I've written, times when I've 11:06:26	11	Share because that will help me. 11:08:44
12	said, you know, there are a lot of 11:06:31	12	A. So this is Exhibit A. So I will 11:08:48
13	possibilities here; there are a few 11:06:33	13	open a local copy of Exhibit A. All 11:08:50
14	possibilities. 11:06:34	14	right. I've got that open. 11:08:58
15	So if you get into a discussion 11:06:35	15	BY MR. ANSORGE: 11:08:58
16	of probability and counting, then that's a 11:06:38	16	Q. Right. And you recognize that 11:09:01
17	discussion of entropy because entropy is 11:06:41	17	as your CV that you provided with your 11:09:03
18	just the sum of the different ways of a 11:06:44	18	opening report? 11:09:06
19	system being arranged that where the 11:06:49	19	A. Yes. 11:09:08
20	sum of each element the sum where 11:06:51	20	Q. And is this your current and 11:09:10
21	the the components are each multiplied 11:06:53	21	accurate list of credentials? 11:09:12
22	by the probability of that arrangement 11:06:56	22	A. I think there have been some 11:09:15
23	being the one. 11:06:59	23	updates since this, but since this was 11:09:16
24	So it's it's sort of a 11:07:01	24	provided. 11:09:21
25	concept that becomes intertwined in a lot 11:07:04	25	Q. And what are the updates? 11:09:23
23	Page 54		Page 56
1	of different issues. 11:07:09	1	A. Let me take a look here. I 11:09:26
2	BY MR. ANSORGE: 11:07:10	2	think there's been one additional 11:09:43
3	Q. Prior to this engagement, 11:07:11	3	deposition. I think there's been one 11:09:45
4	Mr. Hochman, have you proffered any expert 11:07:12	4	additional trial. 11:09:49
5	opinions about online privacy? 11:07:14	5	Q. What is the additional 11:09:54
6	MR. MAO: Objection, vague and 11:07:19	6	deposition? 11:09:56
7	ambiguous, form of the question. 11:07:20	7	A. The additional deposition and 11:09:58
8	Please go ahead. 11:07:22		I'm sorry, there might be other changes 11:10:01
9	A. I think I have. 11:07:24	l	too. Those are just the first two things 11:10:02
10		l .	I notice. 11:10:05
11	Q. Can you describe those for us? 11:07:27	11	The additional deposition is a 11:10:06
12	A. I think we should look at my CV 11:07:30	12	case called Black v CNN. 11:10:07
13		13	Q. In general terms, what opinion 11:10:12
	ii iii going to do that occause i don't 11.07.32	14	did you proffer in that case? 11:10:23
1 1 1	want to give you an incomplete list and 11:07:24		ara you proffer in that case: 11.10.23
14			A That was a case about online 11.10.26
15	Q. Yep. 11:07:37	15	A. That was a case about online 11:10:26
15 16	Q. Yep. 11:07:37 A the list of cases would be 11:07:38	15 16	reputation, and my opinions related to 11:10:29
15 16 17	Q. Yep. 11:07:37 A the list of cases would be 11:07:38 helpful to make sure I give you a thorough 11:07:40	15 16 17	reputation, and my opinions related to 11:10:29 the the number of people who viewed 11:10:33
15 16 17 18	Q. Yep. 11:07:37 A the list of cases would be 11:07:38 helpful to make sure I give you a thorough 11:07:40 answer. 11:07:42	15 16 17 18	reputation, and my opinions related to 11:10:29 the the number of people who viewed 11:10:33 allegedly defamatory content, whether that 11:10:38
15 16 17 18 19	Q. Yep. 11:07:37 A the list of cases would be 11:07:38 helpful to make sure I give you a thorough 11:07:40 answer. 11:07:42 Q. Yeah, let's let's do that. 11:07:43	15 16 17 18 19	reputation, and my opinions related to 11:10:29 the the number of people who viewed 11:10:33 allegedly defamatory content, whether that 11:10:38 number views was significant and some 11:10:43
15 16 17 18 19 20	Q. Yep. 11:07:37 A the list of cases would be 11:07:38 helpful to make sure I give you a thorough 11:07:40 answer. 11:07:42 Q. Yeah, let's let's do that. 11:07:43 So as Exhibit 2, I'd like to enter the CV 11:07:47	15 16 17 18 19 20	reputation, and my opinions related to 11:10:29 the the number of people who viewed 11:10:33 allegedly defamatory content, whether that 11:10:38 number views was significant and some 11:10:43 further related opinions. 11:10:48
15 16 17 18 19 20 21	Q. Yep. 11:07:37 A the list of cases would be 11:07:38 helpful to make sure I give you a thorough 11:07:40 answer. 11:07:42 Q. Yeah, let's let's do that. 11:07:43 So as Exhibit 2, I'd like to enter the CV 11:07:47 that you provided with your opening 11:07:51	15 16 17 18 19 20 21	reputation, and my opinions related to 11:10:29 the the number of people who viewed 11:10:33 allegedly defamatory content, whether that 11:10:38 number views was significant and some 11:10:43 further related opinions. 11:10:48 Q. And you also stated that there's 11:10:50
15 16 17 18 19 20 21 22	Q. Yep. 11:07:37 A the list of cases would be 11:07:38 helpful to make sure I give you a thorough 11:07:40 answer. 11:07:42 Q. Yeah, let's let's do that. 11:07:43 So as Exhibit 2, I'd like to enter the CV 11:07:47 that you provided with your opening 11:07:51 report. Let me know when you have that. 11:07:53	15 16 17 18 19 20 21 22	reputation, and my opinions related to 11:10:29 the the number of people who viewed 11:10:33 allegedly defamatory content, whether that 11:10:38 number views was significant and some 11:10:43 further related opinions. 11:10:48 Q. And you also stated that there's 11:10:50 a trial that's missing from this CV. What 11:10:51
15 16 17 18 19 20 21 22 23	Q. Yep. 11:07:37 A the list of cases would be 11:07:38 helpful to make sure I give you a thorough 11:07:40 answer. 11:07:42 Q. Yeah, let's let's do that. 11:07:43 So as Exhibit 2, I'd like to enter the CV 11:07:47 that you provided with your opening 11:07:51 report. Let me know when you have that. 11:07:53 (Exhibit 2, Jonathan Hochman's 11:07:54	15 16 17 18 19 20 21 22 23	reputation, and my opinions related to the the number of people who viewed 11:10:33 allegedly defamatory content, whether that 11:10:38 number views was significant and some 11:10:43 further related opinions. 11:10:48 Q. And you also stated that there's 11:10:50 a trial that's missing from this CV. What 11:10:51 was that trial? 11:10:54
15 16 17 18 19 20 21 22 23 24	Q. Yep. 11:07:37 A the list of cases would be 11:07:38 helpful to make sure I give you a thorough 11:07:40 answer. 11:07:42 Q. Yeah, let's let's do that. 11:07:43 So as Exhibit 2, I'd like to enter the CV 11:07:47 that you provided with your opening 11:07:51 report. Let me know when you have that. 11:07:53 (Exhibit 2, Jonathan Hochman's 11:07:54 Curriculum Vitae, marked for 11:07:54	15 16 17 18 19 20 21 22 23 24	reputation, and my opinions related to the the number of people who viewed 11:10:33 allegedly defamatory content, whether that 11:10:38 number views was significant and some 11:10:43 further related opinions. 11:10:48 Q. And you also stated that there's 11:10:50 a trial that's missing from this CV. What 11:10:51 was that trial? 11:10:54 A. So this was a arbitration 11:10:56
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1 in the beginning, but could you agree to 11:16:50 2 10:01 want to skip something. 11:33:24 11:33:25 2 2 2 3 3 3 3 3 3 3	1			
3 questioning and then during the breaks 11:16:53 4 A. Leart for that 1- Leart for 1 11:16:55 5 that because my father is deathly ill, and 11:16:59 5 that because my father is deathly ill, and 11:16:59 5 that because my father is deathly ill, and 11:16:59 5 that because my father is deathly ill, and 11:16:59 5 that because my father is deathly ill, and 11:17:03 5 that because my father is deathly ill, and 11:17:03 7 more of the primary caregivers sor m 11:17:04 7 more of the primary caregivers sor m 11:17:05 8 mr monitoring for that . And Tm not 11:17:06 9 taking calls or information from anyone 11:17:08 9 taking calls or information from anyone 11:17:19 11:17:19 12 mR. ANSORGE: Mirk, do you wart 11:17:19 13 a five-minute break? 11:17:19 13 a five-minute break? 11:17:19 14 (Reporter clarification.) 11:17:20 14 (Reporter clarification.) 11:17:20 14 (Reporter clarification.) 11:17:20 14 (Reporter clarification.) 11:17:20 15 MR. ANSORGE: With that 11:17:22 16 mere not texting him. Yeah. 11:17:22 17 mR. ANSORGE: With that 11:17:22 18 assurance, left's take a break off the record. Does 11:17:37 12 their way out and a cup of coffee. 11:17:40 11:17:42 12 their way out and a cup of coffee. 11:17:40 11:17:42 12 their way out and a cup of coffee. 11:17:45 11		in the beginning, but could you agree to 11:16:47	1	to be sure that I include anything because 11:33:22
A	2	have your phone off while we're doing the 11:16:50	2	I don't want to skip something. 11:33:24
5 that because my father is deathly ill, and 11:16:59 5 mas State Court case, a dispute between 11:33:32	3	questioning and then during the breaks 11:16:53	3	So if you look at Trial 11:33:26
6 1 113-33 1	4	A. I can't do that I can't do 11:16:55	4	Testimony Number 5, Borg v Cloutier, that 11:33:27
7 just potentially on call to help him, so 11:17:05	5	that because my father is deathly ill, and 11:16:59	5	was a State Court case, a dispute between 11:33:32
8 Tm monitoring for that. And Tm not 11:17:06 11:17:07 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:08 11:17:09 1	6	I'm one of the primary caregivers so I'm 11:17:01	6	neighbors that involved things such as one 11:33:36
9 taking calls or information from anyone 11:17:08 0 connected to this case. 11:17:11 11 11 11 11 11 1	7	just potentially on call to help him, so 11:17:03	7	neighbor videotaping the other neighbor's 11:33:39
10 connected to this case 11:17:11 11 publishing defamatory information or 11:33:51 11:33:51 11:33:51 11:33:51 11:33:51 11:33:55 13 a five-minute break? 11:17:19 13 a five-minute break? 11:17:20 14 altert you to that case. 11:34:04 11:33:55 13 whole passel of claims there, so Fil just 11:33:59 11:33:	8	I'm monitoring for that. And I'm not 11:17:06	8	backyard and children playing, and it also 11:33:42
11	9	taking calls or information from anyone 11:17:08	9	involved an accusation of one neighbor 11:33:46
12 MR. ANSORGE: Mark, do you want 11:17:15 13 a five-minute break? 11:17:19 14 deproter clarification.) 11:17:20 15 MR. MAO: I can assure you that 11:17:20 16 we're not texting him. Yeah. 11:17:22 17 MR. ANSORGE: With that 11:17:22 18 assurance, lefs take a break. 11:17:22 19 MR. MAO: Yeah. 1 appreciate 11:17:35 19 MR. ANSORGE: With that 11:17:34 20 the break. I can kiss my kids on 11:17:34 21 their way out and a cup of coffee. 11:17:37 22 MR. ANSORGE: Lefs take a 11:17:39 23 ten-minute break off the record. Does 11:17:42 24 that work? 11:17-42 25 MR. ANSORGE: Or let's make 11:17:45 26 MR. ANSORGE: Or let's make 11:17:45 27 MR. ANSORGE: Or let's make 11:17:49 28 the brough of the time is 11:18 a.m. 11:17:50 29 THE VIDEOGRAPHER: Going off the 11:17:52 30 the brough of the time is 11:32 and 11:32:32 31 The VIDEOGRAPHER: Back on the 11:32:35 32 Q. Welcome back, Mr. Hochman. 11:32:35 33 Pirvacr. The time is 11:32 and 11:32:35 34 Pirvacr. The time is 11:32 and 11:32:35 35 Pirvacr. Vitat you provided with 11:32:41 36 Septiage. So fire going online 11:32:53 37 Q. Welcome back, Mr. Hochman. 11:32:35 38 Pirvacr. 11:32:36 40 A. Yes. Although – well, there's 11:33:05 41 Exhibit 2, your opening report, and we were 11:32:42 41 Exhibit 2, your opening report, and we were 11:32:45 42 a case – another case that related to 11:33:05 43 Porvoy? 11:33:08 44 A. Yes. Although – well, there's 11:33:11 45 Pirvacr. So I'm going to –1 just want 11:33:17 45 Pirvacr. So I'm going to –1 just want 11:33:17 46 A. Yes. Although – well, there's 11:33:17 47 Q. A. Let me take a look. I minute, let we were docking at 11:32:41 48 Can you identify any others 11:34:18 49 apart from those three? 11:34:18 40 A. Yes. Although – well, there 11:17:49 41 between a coup of coffee. 11:17:49 42 it – in 13 minutes, let's do it at 11:17:49 43 the bottom exactly on the half of the 11:17:49 44 bour, we'll start again. 11:17:50 55 THE VIDEOGRAPHER: Back on the 11:18:32:35 56 THE VIDEOGRAPHER: Back on the 11:32:35 57 THE VIDEOGRAPHER: Back on the 11:32:35 58 THE	10	connected to this case. 11:17:11	10	publishing defamatory information or 11:33:51
13	11	MR. MAO: Mr. Hochman 11:17:14	11	private information or, you know, 11:33:54
14 (Reporter clarification.) 11:17:20 14 alert you to that case. 11:34:04 13:34:10 15 MR. MAO: I can assure you that with that with revent of texting him. Yeah. 11:17:22 15 Q. Okay. So apart from the line 15 11:34:06 17 MR. ANSORGE: With that assurance, left stake a break. 11:17:22 18 can you identify any others 11:34:18 20 the break. I can kiss my kids on the revent. Does there. 11:17:34 20 A. Let me take a look. Nothing apart from those three? 11:34:19 21 their way out and a cup of coffee. 11:17:39 22 ones that I can identify as I sit here. 11:34:21 22 MR. ANSORGE: Lef's take a li1:17:39 22 ones that I can identify as I sit here. 11:34:50 24 that work? 11:17:45 22 Ones that I can identify as I sit here. 11:34:50 25 MR. MAO: Thanks so much. 11:17:45 23 Q. Prior to the break, we were also in 1:35:00 11:35:02 26 it - in 13 minutes, let's do it at li1:17:47 3 4 hour, we'll start again. 11:17:45 2 A. Yes. 11	12	MR. ANSORGE: Mark, do you want 11:17:15	12	intruding upon seclusion. There were a 11:33:55
15	13	a five-minute break? 11:17:19	13	whole passel of claims there, so I'll just 11:33:59
16 we're not texting him. Yeah. 11:17:22 16 and line 3 and - that we were discussing 11:34:09 11:34:15 17 MR. ANSORGE: With that 11:17:22 11:17:22 18 can you identify any others. 11:34:15 19 MR. MAO: Yeah. I appreciate 11:17:25 11:17:25 19 apart from those three? 11:34:19 20 the break. I can kiss my kids on 11:17:34 20 A. Let me take a look. Nothing 11:34:21 11:34:21 21 their way out and a cup of coffee. 11:17:39 22 ones that I can identify as I sit here. 11:35:00 11:35:00 23 ten-minute break off the record. Does 11:17:40 23 Q. Prior to the break, we were also 11:35:02 11:35:02 4 MR. ANSORGE: Or let's make 11:17:45 25 page 62 24 discussing your experience providing 21:135:09 11:35:09 1 MR. ANSORGE: Or let's make 11:17:49 3 Q. Prior to the break, we were also 11:35:12 11:35:12 2 i in 13 minutes, let's do it at 11:17:47 4 A. Yes. 11:35:13 3 the bottom exactly on the half of the 11:17:59 3 Q. And I believe you'd stated then 11:35:13 <td>14</td> <td>(Reporter clarification.) 11:17:20</td> <td>14</td> <td>alert you to that case. 11:34:04</td>	14	(Reporter clarification.) 11:17:20	14	alert you to that case. 11:34:04
17 MR. ANSORGE: With that 11:17:22 17 earlier, there's also line 5.	15	MR. MAO: I can assure you that 11:17:20	15	Q. Okay. So apart from the line 15 11:34:06
18	16	we're not texting him. Yeah. 11:17:22	16	and line 3 and that we were discussing 11:34:09
19 MR. MAO: Yeah. I appreciate 11:17:25	17	MR. ANSORGE: With that 11:17:22	17	earlier, there's also line 5. 11:34:15
20	18	assurance, let's take a break. 11:17:22	18	Can you identify any others 11:34:18
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23 ten-minute break off the record. Does 11:17:40 11:17:42 24 that work? 11:17:42 25 MR. MAO: Thanks so much. 11:17:45 Page 62 26 discussing your experience providing 11:35:05 Page 64 27 Page 64 27 Page 64 28 Page 64 28 Page 64 29 Page 64 20 Page 64	21	their way out and a cup of coffee. 11:17:37	21	else springs to mind, and so those are the 11:34:51
24	22	MR. ANSORGE: Let's take a 11:17:39	22	ones that I can identify as I sit here. 11:35:00
25 MR. MAO: Thanks so much. 11:17:45 Page 62 25 opinions regarding informational entropy. 11:35:09 Page 64 1	23	ten-minute break off the record. Does 11:17:40	23	Q. Prior to the break, we were also 11:35:02
Page 62 Page 64	24	that work? 11:17:42	24	discussing your experience providing 11:35:05
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1	know, it might be baked into some issue in 11:36:54	1	that was a an invited paper, and then 11:39:13
2	some of these cases, but I'm not recalling 11:37:01	2	it was reviewed by the conference 11:39:16
3	it specifically now. 11:37:03	3	committee or people, and it was accepted. 11:39:21
4	Q. Do you have any peer-reviewed 11:37:03	4	And then it was published in Springer's 11:39:26
5	publications on information entropy? 11:37:05	5	Lecture Notes in Computer Science. 11:39:31
6	MR. MAO: Objection to the form 11:37:08	6	Q. If you turn to the first page of 11:39:33
7	of the question, vague and ambiguous. 11:37:09	7	your CV, which is Exhibit 2, it states 11:39:36
8	Go ahead. 11:37:11	8	there, as a past position, 2008 to 2019, 11:39:39
9	A. So I would you're aware of 11:37:14	9	SEMNE, the Search Engine Marketing New 11:39:43
10	the article I published last year related 11:37:16	10	England, chair and founding member. 11:39:48
11	to identifying records in medical 11:37:18	11	Do you see that? 11:39:50
12	databases? 11:37:23	12	A. Yes. 11:39:50
13	BY MR. ANSORGE: 11:37:25	13	Q. How do I is that pronounced 11:39:52
14	Q. Yes. 11:37:25	14	as SEMNE, S-E-M-N-E? How would you refer 11:39:55
15	A. So that issue is is sort of 11:37:26	15	to it? 11:39:58
16	intertwined with entropy because there's a 11:37:29	16	A. Yes, that's fine. 11:39:59
17	very big problem in medical databases, a 11:37:35	17	Q. What is SEMNE? 11:39:59
18	problem of reidentification of the 11:37:37	18	A. It was an association of search 11:40:03
19	records. 11:37:39	19	engine marketers that existed up until the 11:40:07
20	So for example, when a 11:37:39	20	pandemic. It was conducting in-person 11:40:12
21	researcher goes to National Cancer 11:37:40	21	events and because of the pandemic, it 11:40:15
22	Database and wants to do a study and 11:37:44	22	wasn't feasible to continue doing that so 11:40:18
23	requisitions a bunch of anonymous records, 11:37:46	23	it went dormant. 11:40:21
24	the idea is they don't want the researcher 11:37:49	24	And then subsequently, I and my 11:40:22
25	to be able to reidentify the patients. 11:37:53	25	1
	Page 66		Page 68
1	And the challenge is that if you 11:37:57	1	1
2	provide the researcher with a large enough 11:37:58	2	are for it right now, but it's it's no 11:40:33
3	number of data fields, the entropy in 11:38:01	3	longer ours. 11:40:35
4	those data fields combines to make it 11:38:05	4	Q. What is search engine marketing? 11:40:36
5	feasible to reidentify the patient. 11:38:09	5	MR. MAO: Objection, vague and 11:40:41
6	So as a policy, the medical 11:38:11	6	ambiguous. Go ahead. 11:40:42
7	databases are required to restrict the 11:38:15	7	A. So there's there are a couple 11:40:45
8	number of data fields to essentially limit 11:38:18	8	of ways to look at it. One definition of 11:40:46
9	the amount of entropy that's released to a 11:38:22	9	6
10	, 13	10	that it's the practice of placing paid 11:40:51
11	given record, so that the patients will 11:38:30	11	advertisements on search engine listings. 11:40:55
12	remain anonymous. And so that's an issue 11:38:33	12	So, you know, these (search ads are search 11:40:58
13	that is related to that paper. 11:38:37	13	engine market. 11:41:05
14	I would have to look at the 11:38:39	14	A slightly broader view of it 11:41:06
15	paper. If you want to introduce it, I can 11:38:40	15	would also include activities called 11:41:08
16	take a look and see if to what extent 11:38:43	16	"search engine optimization," that would 11:41:11
17	we covered that issue in the paper. 11:38:44	17	involve increasing the prevalence or 11:41:14
18	Q. And was that a peer-reviewed 11:38:46	18	quality of listings in the natural search 11:41:18
19	paper? 11:38:48	19	
20	A. That was a a peer-reviewed 11:38:49	20	So at various points in time, 11:41:22
21	paper. It was submitted for an 11:38:51	21	that definition has sort of evolved. So 11:41:23
22	international conference called let's 11:38:54	22	at one point in time, it included both SEO 11:41:26
23	see, the 23rd International Symposium on 11:39:01	23	and SEM, or SEO and PPC. And more 11:41:29
24	Stabilization, Safety and Security of 11:39:08	24	3
25	Distributed Systems, in November 2021. So 11:39:10	25	
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1. BYMR. ANSORGE: 12:06:34 2.00 38 30. In which of your opinions do you 12:06:43 4. state that Google uses fingerprinting 12:06:44 4. 4. 4. 4. 4. 4. 4.				
3 Q. In which of your opinions do you 12-06-43 4 state that Google uses fingerprinting 12-06-48 5 (achiques to bindil profiles) 12-06-48 6 MR. MAO: Objection, the 12-06-51 7 (document speaks for itself. 12-06-51 8 A. I can look through the document 12-06-57 9 here. I just - we should be cognizant 12-06-59 9 here. I just - we should be cognizant 12-06-59 10 of time to look through it and point out 12-07-01 11 of time to look through it and point out 12-07-01 12 some things. If you want me to take the 12-07-02 13 might just want to go to them and ask me 12-07-14 14 might just want to go to them and ask me 12-07-14 15 might just want to go to them and ask me 12-07-14 16 might just want to go to them and ask me 12-07-14 17 want me to do it. 12-07-22 18 leave that to you to choose which way you 12-07-13 19 want me to do it. 12-07-12 20 le YMR. ANSORGE: 12-07-24 21 q. Lef's turn to paragraph 223, the 12-07-13 22 tast sentence. 12-07-12 23 A. Just a moment. I'm going to 12-07-13 24 read that and also some of the surrounding 12-07-13 25 vontent. 12-07-13 26 vontent. 12-07-14 27 Q. Day use ein the last sentence 12-08-13 28 might just want to go to thom and ask me 12-08-13 39 myre it says "Regardless of whether or 12-08-13 40 Q. Do you see in the last sentence 12-08-13 41 drough this. 12-08-13 42 fingerprinting going on. 12-10-14 43 hrough this. 12-08-14 44 Q. Do you see in the last sentence 12-08-33 45 might just want to gold the man and store 12-08-34 46 man do do it. 12-08-14 47 do do it may be done 12-08-17 48 do Q. Do you see in the last sentence 12-08-33 49 through this. 12-08-18 40 Q. Do you see in the last sentence 12-08-34 41 drough this. 12-08-18 42 paces in the foreconomy of time in the last sentence 12-08-35 43 through this. 12-08-34 44 drough this. 12-08-34 45 through this. 12-08-34 46 through this. 12-08-34 47 graph and the docum	1	which information was available. 12:06:34	1	reasonable inference could be drawn that 12:09:22
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25 engaged in fingerprinting. I think a 12:09:17 25 this fingerprinting data is being 12:12:28	23		23	• • •
	24		24	
Page 93	25		25	• • •
		Page 91		Page 93

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1	collected and saved, and that it is likely 12:12:32	1	answered. 12:15:17
2	to be used by could be used by Google 12:12:34	2	A. Well, in fact, I think I know 12:15:17
3	for fingerprinting. 12:12:36	3	that it has been private browsing 12:15:19
4	And then there's an additional 12:12:38	4	information has been reidentified. There 12:15:22
5	risk. I'm aware that Google does 12:12:40	5	are examples of it happening. I think 12:15:24
6	sometimes provide its data to law 12:12:41	6	I spoke with Dave Nelson and I think 12:15:26
7	enforcement, that there are thousands of 12:12:46	7	and I read his deposition. And I think 12:15:29
8	requests to Google, and that sometimes 12:12:48	8	you've heard him say that the FBI has gone 12:15:31
9	this data, including fingerprinting data, 12:12:49	9	and arrested people who said, How did you 12:15:34
10	can be provided to law enforcement, and 12:12:54	10	find me? I was in incognito mode, or I 12:15:37
11	that law enforcement can use that to 12:12:56	11	was in private mode. 12:15:41
12	identify users. 12:13:00	12	And so we know that that's 12:15:42
13	In this in current events, I 12:13:02	13	happened. There are instances where 12:15:46
14	think you've seen numerous news articles 12:13:06	14	where it actually has happened. 12:15:50
15	that talk about how people have become 12:13:08	15	BY MR. ANSORGE: 12:15:50
16	worried that this type of data could be 12:13:10	16	Q. And, Mr. Hochman, I'm just 12:15:53
17	used by I'll just call it "oppressive 12:13:14	17	asking about the opinions you're 12:15:56
18	government factions," to do things like 12:13:24	18	proffering in this case and the opinions 12:15:57
19	identify women who are seeking abortion 12:13:28	19	in your report, which is lengthy and we 12:15:59
20	care and use that information to persecute 12:13:33	20	have read. And I want to make clear that 12:16:03
21	them. So there's a great worry about 12:13:35	21	you do not opine in your report that 12:16:07
22	this. This is a in current events, is 12:13:37	22	Google uses fingerprinting techniques to 12:16:09
23	a big topic of interest. 12:13:39	23	build profiles of plaintiffs from the 12:16:13
24	Q. And just to clarify, 12:13:43	24	private browsing information at issue in 12:16:15
	Mr. Hochman, in your opinion, Google could 12:13:51	25	this case; is that correct? 12:16:17
23	Page 94	23	Page 96
1	use fingerprinting to identify individual 12:13:55	1	A. The way I put it is that I'm 12:16:20
2		2	J 1
3	this case, correct? 12:14:05	3	to assert something without having proof 12:16:25
4	A. I think I'd 12:14:09	4	of it. But I think there is 12:16:33
5	MR. MAO: Objection, 12:14:11		circumstantial evidence to suggest that 12:16:37
6	argumentative, vague and ambiguous, 12:14:12	5 6	Google very well may be fingerprinting 12:16:40
7	asked and answered, calls for 12:14:14	7	users as part of its profiling activities, 12:16:44
		8	
8	speculation. 12:14:17		not just security. 12:16:49
9	Go ahead. 12:14:18	9	And to that, I want to add a 12:16:52
10	A. I think in the report, I've 12:14:20	10	comment because I did mention security 12:16:54 before. I'm trying to be fair here, okay? 12:16:56
11	demonstrated how the fingerprinting 12:14:22	11	
12	information can be used to join records 12:14:24	12	We talk about I've talked about 12:17:01
13	from different logs and to reidentify 12:14:26	13	we've been talking about fingerprinting, 12:17:04
14	private browsing activity. 12:14:31	14	and I've talked about fingerprinting as 12:17:06
15	In other words, to be clear, to 12:14:39	15	something that's potentially abusive. It 12:17:08
16	associate private activity with a a 12:14:41	16	also you know, has potentially proper 12:17:11
17	personal identity such as a GAIA ID. 12:14:44	17	uses, but it's a tool in that it needs to 12:17:15
18	That's G-A-I-A. 12:14:48	18	be used carefully, and it needs to be 12:17:18
19	BY MR. ANSORGE: 12:14:50	19	communicated to users clearly what's going 12:17:22
20	Q. And your opinion is that the 12:14:56	20	on so that they can understand. 12:17:26
21	private browsing information at issue in 12:14:57	21	So I just want to be balanced 12:17:29
	this case could be reidentified through 12:15:01	22	and clear that fingerprinting is a tool. 12:17:30
22		23	It has good uses and bad uses. 12:17:32
23	fingerprinting techniques, correct? 12:15:07		
23 24	MR. MAO: Objection, the 12:15:11	24	Q. So do you have any proof that 12:17:37
23			

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1 2			
1 2	1	1	maintains a complete cradle-to-grave 13:26:39
1		2	profile of users? 13:26:39
3	Q. And what's your understanding of 13:24	39 3	A. Yeah, in my report 13:26:39
4	that phrase? 13:24:41	4	(Reporter clarification.) 13:26:43
5	A. The way I would describe it is 13:24:4:	5 5	MR. MAO: Objection, asked and 13:26:43
6	that, as applies to this, is that Google 13:24:46	6	answered. 13:26:46
7	is logging collecting, logging, 13:24:53	7	Go ahead. 13:26:46
8	whenever it can, all the activity of users 13:24:5	6 8	A. So in my report, I opine that 13:26:47
9	from when they first start, on and on and 13:25	00 9	
10		10	
11	Q. You do not use the phrase 13:25:08	11	some measure, consistently beam 13:27:00
12	•	$0 \mid_{12}$	information back to Google, including a 13:27:06
13	users" in your report, correct? 13:25:14	13	
14		14	
15	•		information, that this is consistently 13:27:18
16			-
17		17	-
18	•		
19			•
			, ,
20	1	20	,
21	Q. In either report. 13:25:29	21	
22	1	22	
23	•	23	
24	1		
25	1 0		
	Page 1	14	Page 116
1	maintains a complete cradle-to-grave 13:25	36 1	Q. My do you opine anywhere in 13:27:51
2	profile of users, correct? 13:25:39	2	your report that the information from 13:27:55
3	A. Well, I believe that Google is 13:25:41	3	41
1		5	these individual tracking beacons is 13:27:58
4			correlated into a single cradle-to-grave 13:28:00
4 5	engaged in complete cradle-to-grave 13:25	44 4	correlated into a single cradle-to-grave 13:28:00
	engaged in complete cradle-to-grave 13:25 profiling of users. I haven't used that 13:25:49	44 4 5	correlated into a single cradle-to-grave 13:28:00 profile of class 1 or class 2 members? 13:28:04
5	engaged in complete cradle-to-grave 13:25 profiling of users. I haven't used that 13:25:49	44 4 5	correlated into a single cradle-to-grave 13:28:00 profile of class 1 or class 2 members? 13:28:04 MR. MAO: Objection, asked and 13:28:07
5 6 7	engaged in complete cradle-to-grave profiling of users. I haven't used that word formulation, but I believe that that's true. 13:25:51	44 4 5 0 6 7	correlated into a single cradle-to-grave 13:28:00 profile of class 1 or class 2 members? 13:28:04 MR. MAO: Objection, asked and 13:28:07 answered. 13:28:08
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5 6 7 8 9 10	engaged in complete cradle-to-grave profiling of users. I haven't used that word formulation, but I believe that that's true. 13:25:51 Q. What is your understanding of the distinction between "profile" and "profiling"? 13:25:58	44 4 5 6 7 2 8 4 9	correlated into a single cradle-to-grave 13:28:00 profile of class 1 or class 2 members? 13:28:04 MR. MAO: Objection, asked and 13:28:07 answered. 13:28:08 A. All right. So the data comes in 13:28:13 and is stored by Google, and it is stored 13:28:15 with a sufficient amount of identifiers, 13:28:18
5 6 7 8 9 10 11	engaged in complete cradle-to-grave profiling of users. I haven't used that word formulation, but I believe that that's true. 13:25:51 Q. What is your understanding of the distinction between "profile" and 13:25:58 "profiling"? 13:25:58 MR. MAO: Objection, 13:25:59	44 4 5 6 7 7 2 8 4 9 10 11	correlated into a single cradle-to-grave 13:28:00 profile of class 1 or class 2 members? 13:28:04 MR. MAO: Objection, asked and 13:28:07 answered. 13:28:08 A. All right. So the data comes in 13:28:13 and is stored by Google, and it is stored 13:28:15 with a sufficient amount of identifiers, 13:28:18 cookie identifiers, fingerprinting data 13:28:23
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5 6 7 8 9 10 11 12 13	engaged in complete cradle-to-grave profiling of users. I haven't used that word formulation, but I believe that 13:25:51 Q. What is your understanding of the distinction between "profile" and "profiling"? 13:25:58 MR. MAO: Objection, 13:25:59 argumentative. You're harassing the witness. 13:26:02	44 4 5 6 7 7 2 8 4 9 10 11 12 13	correlated into a single cradle-to-grave profile of class 1 or class 2 members? 13:28:04 MR. MAO: Objection, asked and 13:28:07 answered. 13:28:08 A. All right. So the data comes in 13:28:13 and is stored by Google, and it is stored 13:28:15 with a sufficient amount of identifiers, 13:28:18 cookie identifiers, fingerprinting data 13:28:23 that it can be linked up. 13:28:29 And I've shown even, using the 13:28:33
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5 6 7 8 9 10 11 12 13 14 15	engaged in complete cradle-to-grave profiling of users. I haven't used that word formulation, but I believe that 13:25:55 that's true. 13:25:51 Q. What is your understanding of the distinction between "profile" and 13:25:58 MR. MAO: Objection, 13:25:59 argumentative. You're harassing the witness. 13:26:02 MR. ANSORGE: It's not 13:26:02 argumentative. 13:26:03	44 4 5 6 7 7 2 8 4 9 10 11 12 13 14 15	correlated into a single cradle-to-grave profile of class 1 or class 2 members? 13:28:04 MR. MAO: Objection, asked and 13:28:07 answered. 13:28:08 A. All right. So the data comes in 13:28:13 and is stored by Google, and it is stored 13:28:15 with a sufficient amount of identifiers, 13:28:18 cookie identifiers, fingerprinting data 13:28:23 that it can be linked up. 13:28:29 And I've shown even, using the 13:28:33 data available through the special master 13:28:37 process, how these records can be linked 13:28:39
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1	A. I think that if you were to look 13:29:07	1	sort of creating a a question that's 13:31:24
2	at how database systems work, data can be 13:29:10	2	without context so I'm not sure 13:31:28
3	stored it can be stored in a single 13:29:16	3	Q. Yeah. 13:31:31
4	data structure or it can be separated out 13:29:18	4	A where I'm going to look I 13:31:32
5	into pieces, and that doesn't really 13:29:20	5	can search the whole report, but that will 13:31:34
6	matter because Google has the 13:29:23	6	be slow. Maybe you want to draw my 13:31:36
7	cradle-to-grave profile of the user. The 13:29:25	7	attention to something. It will be 13:31:38
8	fact that they might store it in pieces, 13:29:29	8	faster. 13:31:40
9	it would be like if your doctor had a file 13:29:31	9	Q. The problem here, Mr. Hochman, 13:31:40
10	about you and but he had it in three 13:29:34	10	is that we're trying to ask you questions 13:31:42
11	different file folders and maybe they were 13:29:38	11	about the limits of your opinions. We 13:31:45
12	in two different file cabinets, but he had 13:29:41	12	have reviewed your report. It is my 13:31:48
13	access to all of them. He's got your 13:29:45	13	understanding that you do not opine that 13:31:51
14	medical history. It doesn't it's not 13:29:46	14	Google maintains a complete 13:31:54
15	required that they all be put together in 13:29:47	15	cradle-to-grave profile of users. It is 13:31:56
16	the same manilla folder. 13:29:49	16	my understanding that you do not opine 13:31:58
17	BY MR. ANSORGE: 13:29:49	17	that Google engages in fingerprinting 13:32:00
18	Q. Mr. Hochman, do you opine 13:29:58	18	1
19	anywhere that Google stores all of the 13:29:59	19	The state of the s
20	data it receives? 13:30:01	20	you do not opine on domains sharing data 13:32:06
21	A. According to our test, it looks 13:30:06	21	with each other. And what we're 13:32:12
22	like the data that's being transmitted 13:30:08	22	attempting to do is clarify that with you. 13:32:15
23	back to Google by the tracking beacons is 13:30:11	23	So with respect if you do 13:32:18
24	being received and stored. We haven't 13:30:14	24	opine on that anywhere, we'd expect you to 13:32:21
25	found yet, and Google hasn't presented 13:30:17	25	at this point inform us and not vice 13:32:23
	Page 118		Page 120
		١.,	12.22.27
1	evidence or information, showing that the 13:30:20	1	
1 2	data is not being stored and saved at 13:30:24	2	A. Okay. 13:32:28
Ι.	data is not being stored and saved at least for some length of time. 13:30:24		
2	data is not being stored and saved at 13:30:24 least for some length of time. 13:30:29 Q. Mr. Hochman, you do not opine 13:30:38	2	A. Okay. 13:32:28 MR. MAO: Objection, it's just a 13:32:29 mischaracterization, but I don't even 13:32:32
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